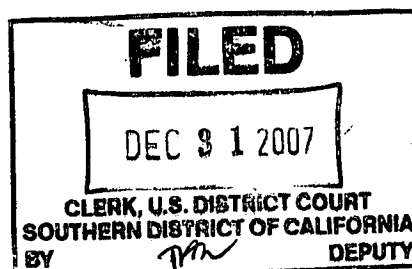


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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA ) MAGISTRATE CASE No: **'07 MJ 9003**  
 )  
Plaintiff, ) COMPLAINT FOR VIOLATION OF  
v. ) 8 U.S.C. § 1324(a)(2)(B)(iii)  
Alejandro PEREZ ) Bringing In Illegal Aliens  
 ) Without Presentation (Felony)  
Defendant. )

The undersigned complainant, being duly sworn, states:

That on December 28, 2007, within the Southern District of California, defendant Alejandro PEREZ, with the intent to violate immigration laws of the United States, knowing and in reckless disregard of the fact that seventeen aliens, namely, Jin Bin ZHENG, Xu Xian DONG, Zeng Biao WANG, Qiang Shou ZHENG, Hua HE, Wen Zhong LUI, Chun Shan JIANG, Li Jian JIANG, Wei Hua ZHENG, Feng YANG, Wei WANG, L.C, Fei JIANG, Yi Di XU, Jin Hua LU, An Ping CHEN, and Qu CHENYUN, had not received prior official authorization to come to, enter and remain in the United States, did bring to the United States said alien and upon arrival did not bring and present said aliens immediately to a Customs Border Protection Officer at the designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached Statement of facts, which is incorporated herein by reference.

*Figueras*  
Izabel Figueras, CBP  
Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 31<sup>st</sup> DAY  
OF DECEMBER 2007.

*Peter C. Lewis*  
Peter C. Lewis  
U.S. MAGISTRATE JUDGE

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4 Probable Cause

5 I, Customs Border Protection Enforcement Officer Izabel  
6 Figueroa, declare under penalty of perjury, the following is true and  
7 correct:

8 On December 28, 2007, at approximately 01:30 A.M., Alejandro PEREZ  
9 arrived at the Calexico, California, West Port of Entry, as the driver of a  
10 1979 Ford Econoline.

11 During the primary inspection, PEREZ gave a negative Customs  
12 declaration to the primary United States Customs and Border Protection  
13 Officer (CBPO) Daniel Pizano. CBPO Pizano stated that PEREZ claimed to be a  
14 United States Citizen and had lost his wallet and identification. PEREZ  
15 stated that the van was registered in his name and when asked for the  
16 registration PEREZ pulled out his wallet with registration. Conducting  
vehicle crossing queries, CBPO Pizano discovered only one crossing and opted  
to escort the vehicle into secondary for further inspection.

17 In secondary inspection PEREZ exited the vehicle and attempted to  
18 abscond north when he was apprehended by CBPO Ceja and several CBP Officers.  
19 PEREZ was placed in handcuffs and escorted to the vehicle secondary office.  
20 Conducting inspection of the vehicle it was discovered that three females  
21 and fourteen male Chinese citizens, later identified as, Jin Bin ZHENG, Xu  
22 Xian DONG, Zeng Biao WANG, Qiang Shou ZHENG, Hua HE, Wen Zhong LUI, Chun  
23 Shan JIANG, Li Jian JIANG, Wei Hua ZHENG, Feng YANG, Wei WANG, L.C (minor),  
24 Fei JIANG, Yi Di XU, Jin Hua LU, An Ping CHEN, and Qu CHENYUN, were  
25 attempting to elude inspection by concealment under blankets located in the  
26 rear cargo area of the vehicle. PEREZ and Jin Bin ZHENG, Xu Xian DONG, Zeng  
27 Biao WANG, Qiang Shou ZHENG, Hua HE, Wen Zhong LUI, Chun Shan JIANG, Li Jian  
28 JIANG, Wei Hua ZHENG, Feng YANG, Wei WANG, L.C (minor), Fei JIANG, Yi Di XU,  
Jin Hua LU, An Ping CHEN, and Qu CHENYUN were taken to the Port Enforcement  
Team for further disposition.

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4 PEREZ was placed under arrest and advised of his rights per Miranda in  
5 the Spanish language by United States Customs and Border Protection  
6 Enforcement Officer (CBPOE) Izabel Figueroa and witnessed by Immigration  
7 Customs Enforcement Special Agent Luis Sanz. PEREZ said he understood his  
8 rights and would answer questions without an attorney present.

9 PEREZ stated he was aware the vehicle he was driving had undocumented  
10 aliens concealed in the rear cargo area of the vehicle. PEREZ stated a  
11 friend named "Jose" asked him if he wanted to come across and cross a  
12 vehicle with some people into the United States. PEREZ stated that he agreed  
13 and that he was going to get paid \$5000 to bring them in. PEREZ also stated  
14 that he was going to stop at the first gasoline station in Calexico, Ca where  
15 "Jose" would meet up with him and take the vehicle.

16 Material Witness Jin Bin ZHENG stated that he is a citizen and national  
17 of China with no legal entry documents to enter, reside or pass through the  
18 United States. Jin Bin ZHENG stated that his family had made the smuggling  
19 arrangements to have him smuggled into the United States illegally. Jin Bin  
20 ZHENG stated that his family was to pay an unknown amount to be smuggled  
21 into the United States and that his final destination was to be New York  
22 City, NY where he was to seek employment.

23 Material Witness Xu Xian DONG stated that he is a citizen and national  
24 of China with no legal entry documents to enter, reside or pass through the  
25 United States. Xu Xian DONG admitted that he had made the smuggling  
26 arrangements to be smuggled into the United States illegally. Xu Xian DONG  
27 stated he was going to pay \$70,000 to be smuggled into the United States and  
28 that his final destination was to be New York City, NY where he was to seek  
employment.

Material Witness Zeng Biao WANG stated that he is a citizen and  
national of China with no legal entry documents to enter, reside or pass  
through the United States. Zeng Biao WANG stated that his family had made  
the smuggling arrangements to have him smuggled into the United States  
illegally. Zeng Biao WANG stated that his family was to pay an unknown

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4 amount to be smuggled into the United States and that his final destination  
5 was to be New York City, NY were he was to seek employment.

6 Material Witness Qiang Shou ZHENG stated that he is a citizen and  
7 national of China with no legal entry documents to enter, reside or pass  
8 through the United States. Qiang Shou ZHENG stated that his family had made  
9 the smuggling arrangements to have him smuggled into the United States  
10 illegally. Qiang Shou ZHENG stated that his family was to pay several ten  
11 thousand dollars to be smuggled into the United States and that his final  
12 destination was to be New York City, NY were he was to seek employment.

13 Material Witness Hua HE stated that he is a citizen and national of  
14 China with no legal entry documents to enter, reside or pass through the  
15 United States. Hua HE stated that his family had made the smuggling  
16 arrangements to have him smuggled into the United States illegally. Hua HE  
17 stated that his family was to pay an unknown amount to be smuggled into the  
18 United States and that his final destination was to be New York City, NY  
19 were he was to seek employment.

20 Material Witness Wen Zhong LIU stated that he is a citizen and  
21 national of China with no legal entry documents to enter, reside or pass  
22 through the United States. Wen Zhong LIU stated that his family had made the  
23 smuggling arrangements to have him smuggled into the United States  
24 illegally. Wen Zhong LIU stated that his family was to pay an unknown amount  
25 to be smuggled into the United States and that his final destination was to  
26 be New York City, NY were he was to seek employment.

27 Material Witness Chun Shan JIANG stated that he is a citizen and  
28 national of China with no legal entry documents to enter, reside or pass  
through the United States. Chun Shan JIANG stated that his family had made  
the smuggling arrangements to have him smuggled into the United States  
illegally. Chun Shan JIANG stated that his family was to pay an unknown  
amount to be smuggled into the United States and that his final destination  
was to be New York City, NY were he was to seek employment.

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4 Material Witness Li Jain JAING stated that he is a citizen and national of  
5 China with no legal entry documents to enter, reside or pass through the  
6 United States. Li Jain JAING stated that his family had made the smuggling  
7 arrangements to have him smuggled into the United States illegally. Li Jain  
8 JAING stated that his family was to pay an unknown amount to be smuggled  
9 into the United States and that his final destination was to be New York  
10 City, NY were he was to seek employment.

11 Material Witness Wei Hua ZHENG stated that he is a citizen and  
12 national of China with no legal entry documents to enter, reside or pass  
13 through the United States. Wei Hua ZHENG stated that his family had made the  
14 smuggling arrangements to have him smuggled into the United States  
15 illegally. Wei Hua ZHENG stated that his family was to pay an unknown amount  
16 to be smuggled into the United States and that his final destination was to  
17 be New York City, NY were he was to seek employment.

18 Material Witness Feng YANG stated that he is a citizen and national of  
19 China with no legal entry documents to enter, reside or pass through the  
20 United States. Feng YANG stated that his family had made the smuggling  
21 arrangements to have him smuggled into the United States illegally. Feng  
22 YANG stated that his family was to pay an unknown amount to be smuggled into  
23 the United States and that his final destination was to be New York City, NY  
24 were he was to seek employment.

25 Material Witness Wei WANG stated that he is a citizen and national of  
26 China with no legal entry documents to enter, reside or pass through the  
27 United States. Wei WANG stated that his family had made the smuggling  
28 arrangements to have him smuggled into the United States illegally. Wei WANG  
stated that his family was to pay an unknown amount to be smuggled into the  
United States and that his final destination was to be New York City, NY  
were he was to seek employment.

Material Witness L.C. (minor) stated that he is a citizen and national  
of China with no legal entry documents to enter, reside or pass through the  
United States. L.C. (minor) stated that his family had made the smuggling

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4 arrangements to have him smuggled into the United States illegally. L.C.  
5 (minor) stated that his family was to pay an unknown amount to be smuggled  
6 into the United States and that his final destination was to be New York  
7 City, NY were he was to seek employment.

8 Material Witness Fei JIANG stated that he is a citizen and national of  
9 China with no legal entry documents to enter, reside or pass through the  
10 United States. Fei JIANG stated that his family had made the smuggling  
11 arrangements to have him smuggled into the United States illegally. Fei  
12 JIANG stated that his family was to pay an unknown amount to be smuggled  
13 into the United States and that his final destination was to be New York  
14 City, NY were he was to seek employment.

15 Material Witness Yi Di XU stated that he is a citizen and national of  
16 China with no legal entry documents to enter, reside or pass through the  
17 United States. Yi Di XU stated that his family had made the smuggling  
18 arrangements to have him smuggled into the United States illegally. Yi Di XU  
19 stated that his family was to pay an unknown amount to be smuggled into the  
20 United States and that his final destination was to be New York City, NY  
21 were he was to seek employment.

22 Material Witness Jin Hua LU stated that she is a citizen and national  
23 of China with no legal entry documents to enter, reside or pass through the  
24 United States. Jin Hua LU stated that her family had made the smuggling  
25 arrangements to have her smuggled into the United States illegally. Jin Hua  
26 LU stated that her family was to pay an unknown amount to be smuggled into  
27 the United States and that her final destination was to be New York City, NY  
28 were he was to seek employment.

Material Witness An Ping CHEN stated that she is a citizen and  
national of China with no legal entry documents to enter, reside or pass  
through the United States. An Ping CHEN stated that her family had made the  
smuggling arrangements to have her smuggled into the United States  
illegally. An Ping CHEN stated that her family was to pay an unknown amount

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4 to be smuggled into the United States and that her final destination was to  
5 be New York City, NY were he was to seek employment.

6 Material Witness Qu CHENYUN stated that she is a citizen and national  
7 of China with no legal entry documents to enter, reside or pass through the  
8 United States. Qu CHENYUN stated that her family had made the smuggling  
9 arrangements to have her smuggled into the United States illegally. Qu  
10 CHENYUN stated that her family was to pay an unknown amount to be smuggled  
11 into the United States and that her final destination was to be New York  
12 City, NY were he was to seek employment.

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4 Material Witness:  
5 Name

Country of Birth

6 Jin Bin ZHENG  
7 Xu Xian DONG  
8 Zeng Biao WANG  
9 Qiang Shou ZHENG  
10 Hua HE  
11 Wen Zhong LUI  
12 Chun Shan JIANG  
13 Li Jian JIANG  
14 Wei Hua ZHENG  
15 Feng YANG  
16 Wei WANG  
17 L.C (minor)  
18 Fei JIANG  
19 Yi Di XU  
20 Jin Hua LU  
21 An Ping CHEN  
22 Qu CHENYUN

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23 Further, the complainant states that she believes said aliens are citizens  
24 of a country other than the United States; that said aliens have admitted  
25 that they are deportable; that their testimony is material, that it is  
26 impracticable to secure their attendance at the trial by subpoena; and they  
27 are material witnesses in relation to this criminal charge and should be  
28 held or admitted to bail pursuant to Title 18, United States Code, Section  
3144.

Executed on December 29, 2007 at approximately 03:30 P.M.

*Figueron*  
Izabel Figueron, CBP  
Enforcement Officer

29 On the basis of the facts presented in the probable cause statement  
30 consisting of seven pages, I find probable cause to believe that the  
31 defendant named in this probable cause statement committed the offense on  
32 December 28, 2007 in the violation of Title 8, United States Code, § 1324.

33 *[Signature]*  
HON. CATHY A. BENCIVENGO  
UNITED STATES MAGISTRATE JUDGE

34 *12/29/07 @ 3:40 pm*  
Date and Time